



THAT THE ENTITY WHICH WILL BE MAILING THE PROCEEDS OF THE FUND WILL KNOW WHERE TO MAIL YOUR SHARE OF THE FUND AND HOW TO COMPLETE YOUR INLAND REVENUE FORM R185. FAILURE TO COMPLETE AND MAIL THE ATTACHED BENEFICIAL OWNER CERTIFICATION MAY RESULT IN YOUR NOT RECEIVING YOUR SHARE OF THE FUND. IF THE BENEFICIAL OWNER CERTIFICATION IS NOT ENCLOSED, YOUR NAME AND ADDRESS APPEARS ON THE COMPANY'S RECORDS. YOU NEED NOT COMPLETE A BENEFICIAL OWNER CERTIFICATION WITH RESPECT TO THOSE SHARES HELD OF RECORD.

IF YOU HAVE ANY QUESTIONS ABOUT THE BENEFICIAL OWNER CERTIFICATION, YOU MAY WRITE OR CALL:

IIC Industries Inc. Litigation  
Notice Administrator  
c/o RSM McGladrey, Inc.  
P.O. Box 1607  
Blue Bell, PA 19422  
1-800-222-2760 (toll free)

### **III. APPLICATION FOR ATTORNEYS' FEES AND EXPENSES**

Plaintiff's attorneys intend to apply to the Court for an award of attorneys' fees equal to one-third of the Fund, plus reimbursement of expenses, which to date approximate \$199,975 (the "Fee Application"). If plaintiff's attorneys are awarded the full amount they seek, the award will aggregate about \$1,047,530, which, as set forth above, will be deducted and paid from the Fund. The exact amount of the award can only be approximated because interest will continue to accrue on the Fund until the award is paid to plaintiff's attorneys. Plaintiff's attorneys will also ask the Court to allow them to seek additional, reasonable compensation for services they perform in connection with the administration and distribution of the Fund.

### **IV. THE HEARING ON THE FEE APPLICATION**

The Court has scheduled a Hearing, which will be held in the New Castle County Courthouse, 500 North King Street, 12<sup>th</sup> Floor, Wilmington, Delaware 19801, on December 21, 2006, at 11:00 a.m., to hear the Fee Application. The Court has reserved the right to adjourn the Hearing from time to time by oral announcement at the Hearing or at any adjournment thereof without further notice of any kind.

Any member of the Class who objects to the Fee Application or otherwise wishes to be heard may appear in person or by his or her attorney at the Hearing. If you wish to do so, however, you must, not later than ten calendar days prior to the Hearing (unless the Court in its discretion shall otherwise direct for good cause shown), file with the Register in Chancery: (i) a written notice of intention to appear; (ii) proof of your membership in the Class; (iii) a statement of your objection to the Fee Application; and (iv) the grounds therefor or the reasons you desire to appear and be heard, as well as all documents or writings you desire the Court to consider. Also, on or before the date you file such papers, you must serve them upon the following attorneys of record:

Jessica Zeldin, Esquire  
Rosenthal, Monhait & Goddess, P.A.  
919 N. Market Street, Suite 1401  
Citizens Bank Center  
P.O. Box 1070  
Wilmington, DE 19899

Daniel A. Dreisbach, Esquire  
Richards Layton & Finger  
One Rodney Square  
Wilmington, DE 19801

Any Class member who does not object to the Fee Application need not do anything except complete a Beneficial Owner Certification, if applicable.

Unless the Court otherwise directs, no person will be entitled to object to the Fee Application, or otherwise be heard, except by serving and filing written objections as described above.

Any person who fails to object in the manner described above shall be deemed to have waived the right to object (including the right to appeal) and will be forever barred from raising such objection in this or any other action or proceeding.

### **V. NOTICE TO PERSONS OR ENTITIES HOLDING OWNERSHIP ON BEHALF OF OTHERS**

Brokerage firms, banks and/or other persons or entities who held shares of IIC stock as of March 27, 2002 for the benefit of others are requested promptly to send this Notice (and the attached Beneficial Owner Certification) to all of their respective beneficial owners. If additional copies of the Notice are needed for forwarding to such beneficial owners, any requests for such additional copies may be made to:

IIC Industries Inc. Litigation  
Notice Administrator  
c/o RSM McGladrey, Inc.  
P.O. Box 1607  
Blue Bell, PA 19422  
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### **VI. SCOPE OF THIS NOTICE**

This Notice is not all-inclusive. For full details of the lawsuit, members of the Class are referred to the Court files in the lawsuit. You or your attorney may examine the Court files during regular business hours of each business day at the office of the Register in Chancery, in the New Castle County Courthouse, 500 North King Street, Wilmington, Delaware 19801. Questions or comments may be directed to plaintiff's principal counsel, Harold B. Obstfeld, 100 Park Avenue - 20th Floor, New York, NY 10017, (212) 696-1212. **DO NOT WRITE OR TELEPHONE THE COURT.**

Dated: November 13, 2006

BY ORDER OF THE COURT  
*/s/ Register in Chancery*

**IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE  
IN AND FOR NEW CASTLE COUNTY**

RICHARD S. GESOFF,	X	
	:	
Plaintiff,	:	
	:	
v.	:	C.A. No. 19473-NC
	:	
IIC INDUSTRIES INC., CP HOLDINGS LIMITED,	:	
KENYON PHILLIPS ACQUISITION, LLC,	:	
BERNARD SCHREIER, JOHN SMITH,	:	
ROBERT M. LEVY, ROBERT GLATTER,	:	
and ALFRED L. SIMON,	:	
	:	
Defendants.	:	
	X	

**THIS FORM MUST BE POST-MARKED BY FEBRUARY 19, 2007**

**BENEFICIAL OWNER CERTIFICATION**

The undersigned was the beneficial owner of shares of the common stock of IIC Industries Inc. on March 27, 2002 (or a person acting on behalf of such a beneficial owner), and certifies, under penalty of perjury, that the following information is true and correct:

PLEASE TYPE OR PRINT

Beneficial Owner's Name:

If jointly owned, name of co-owner

Street No. and Street

City  State  Zip Code

Foreign Province  Foreign Country

Taxpayer I.D. No.    
or  
Social Security No.

Record Owner's Name (i.e., Brokerage Firm or other institution holding my shares):

**Number of Shares of IIC stock owned on March 27, 2002:** \_\_\_\_\_

YOU MUST ATTACH DOCUMENTARY PROOF OF YOUR OWNERSHIP OF IIC STOCK AS OF MARCH 27, 2002. FOR EXAMPLE, YOU MAY SUBMIT A BROKERAGE FIRM STATEMENT SHOWING THAT IIC STOCK WAS HELD FOR YOU ON THAT DATE.

Beneficial Owner is (check one)

- An Individual
- Two or more persons holding stock jointly
- A Partnership
- A Corporation
- Executor or Administrator or Guardian (if this one is checked, please complete the following:)

Name(s) of Representative:

Name and Title of Responsible Officer if Applicable

Street No. and Street

City  State  Zip Code  -

I (We) certify that I am (we are) not subject to backup withholding under the provisions of Section 3406(a)(1)(c) of the Internal Revenue Code.

Note: If you have been notified by the Internal Revenue Service that you are subject to backup withholding, please strike out the language that you are not subject to backup withholding in the certification above.

BY SIGNING BELOW, YOU SUBMIT YOURSELF TO THE JURISDICTION OF THE DELAWARE COURT OF CHANCERY WITH RESPECT TO THIS BENEFICIAL OWNER CERTIFICATION.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Joint Owner (if any)

If the claimant is other than an individual, or if the claimant is not the person completing this form, please provide the following information:

\_\_\_\_\_  
Name of Person Signing

\_\_\_\_\_  
Capacity of Person Signing  
(Executor, Corporate Officer, Partner, Trustee,  
Guardian, etc.)

**AFTER YOU COMPLETE AND SIGN THIS FORM, SEND IT, ALONG WITH YOUR PROOF OF OWNERSHIP, TO:**

IIC Industries Inc. Litigation  
Notice Administrator  
c/o RSM McGladrey, Inc.  
P.O. Box 1607  
Blue Bell, PA 19422

**REMINDER CHECKLIST**

1. Did you provide all the information requested, with copies of all documentary evidence of your ownership of IIC stock on March 27, 2002? Documentation will not be returned.
2. Did you sign your name as required?
3. Have you made a copy for your files of the Beneficial Owner Certification and all documents you are submitting?
4. If you move, please send a notice of change of address to:

IIC Industries Inc. Litigation  
Notice Administrator  
c/o RSM McGladrey, Inc.  
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Blue Bell, PA 19422

**IMPORTANT LEGAL INFORMATION**

IIC Industries Inc. Litigation  
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FIRST-CLASS MAIL  
U.S. POSTAGE  
PAID  
PEARL PRESSMAN LIBERTY  
COMMUNICATIONS GROUP